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## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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UNITED STATES OF AMERICA ex rel. Ray Furchak and STATE OF CALIFORNIA, ex rel. Ray Furchak, et al.,

Plaintiffs,

ν.

INSYS THERAPEUTICS, INC., et al.,

Defendants.

CIVIL ACTION NO. 12-CV-2930

ORDER OF DISMISSAL

## **ORDER**

For the reasons stated in Plaintiff/Relator Ray Furchak's Unopposed Motion to Voluntarily Dismiss and the Statements of Consent submitted by the United States of America and the Qui Tam States, it is hereby ordered that the above-captioned action, except for the State of Indiana's state claims, is DISMISSED WITHOUT PREJUDICE.

The State of Indiana's claims remain pending until the state independently files its own written Motion to Dismiss in accordance with the State of Indiana False Claims and Whistleblower Protection Act section IC 5-11-5.5.4(b).

Berg & Androphy and Relator Ray Furchak are relieved of any further responsibility to prosecute this case.

IT IS SO ORDERED this \_\_\_\_\_\_\_ 2013.

United States District Judge